



17 MAR 2006

United States Patent and Trademark Office

Commissioner for Patents
United States Patent and Trademark Office
P.O. Box 1450
Alexandria, VA 22313-1450
www.uspto.gov

Vernois
8 Sentier des Laminaires
Arradon 56610
FRANCE

In re Application of :
Vernois :
Application No. 10/561,836 :
PCT No.: PCT/FR04/01456 :
Int. Filing Date: 10 June 2004 : COMMUNICATION
Priority Date: 19 June 2003 :
Atty. Docket No.: N/A :
For: Data Distributing Machine :
With Controlled Atmosphere :

This is in response to the petition under 37 CFR 1.137(b) filed on 23 January 2006.

BACKGROUND

This international application was filed on 10 June 2004, claimed an earliest priority date of 19 June 2003, and designated the U.S. The International Bureau transmitted a copy of the published international application to the USPTO on 13 January 2005. Accordingly, the 30 month time period for paying the basic national fee in the United States expired at midnight on 19 December 2005. This international application became abandoned with respect to the United States for failure to timely pay the required basic national fee.

DISCUSSION

A grantable petition to revive an abandoned application under 37 CFR 1.137(b) must be accompanied by (1) the required reply, unless previously filed; (2) the petition fee as set forth in § 1.17(m); (3) a statement that the entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to this paragraph was unintentional. The Commissioner may require additional information where there is a question whether the delay was unintentional; and (4) any terminal disclaimer (and fee as set forth in § 1.20 (d)) required pursuant to paragraph (c) of this section.

Regarding requirement (1), the required reply in the form of the basic national fee has been filed.

Regarding requirement (2), the petition fee has been paid.

Regarding requirement (3), the petition includes an appropriate statement.

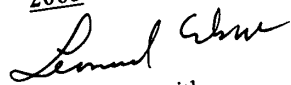
Regarding requirement (4), no terminal disclaimer is required because the international filing date of this application is later than 8 June 1995.

Appln. No. 10/561,836

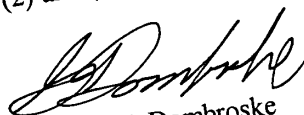
DECISION

The petition under 37 CFR 1.137(b) is **GRANTED**.

This application is being forwarded to the National Stage Processing Branch for further processing. The date of the application under 35 U.S.C. 371(c)(1), (2) and (4) is **21 December 2005**.



Leonard Smith
PCT Legal Examiner
PCT Legal Office



George M. Dombroske
PCT Legal Examiner
PCT Legal Office
Tel: (571) 272-3283
Fax: (571) 273-0459